



2020 LEGISLATIVE PROGRAM

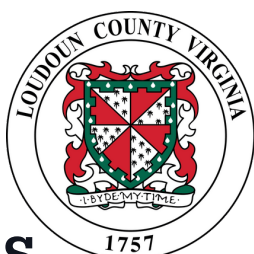
**LOUDOUN COUNTY
BOARD OF SUPERVISORS**



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LOUDOUN COUNTY BOARD OF SUPERVISORS



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LOUDOUN COUNTY FACTS

Loudoun County encompasses a 520-square-mile area in the Piedmont section of Northern Virginia and is bordered by the Blue Ridge Mountains on the northwest and the Potomac River on the northeast. It is 25 miles northwest of Washington D.C. and is one of the fastest growing counties in the Washington Metropolitan Area and the Commonwealth of Virginia.

Between 2010 and 2017, Loudoun was the 19th fastest growing county in the nation and ranked #1 fastest growing in the Commonwealth of Virginia. The county is home to several of the nation's leading technology-oriented businesses.

Population – 2019 estimate	412,864
2010 Census	312,311
2000 Census	169,599
Population growth 2000-2019	143%
Population – 2025 forecast	459,580
Density (persons per square mile) - 2019 estimate	793
Median Age – 2017	36.4 years
Student population - September 2018	82,485
September 2000	34,589
Student population growth 2000 – 2018	138%
Student population forecast – September 2021	86,142
Bond ratings	
Fitch	AAA
Moody's	Aaa
Standard & Poor's	AAA
Total households	104,583 (2010) 134,380 (2019 estimate)
Household size average – 2010 Census	2.98 (Loudoun) 2.64 (DC MSA) 2.54
Real property tax rate – CY 2019	\$1.045 per
Machinery and tools tax rate – CY 2019	\$2.75 per
Commercial & industrial (% of total base) 2019 estimate	19%
Assessed value of taxable real property – 2019 estimate	\$ 87.9 billion
Personal property tax rate – CY 2019	\$4.20 per
State reimbursement for personal property taxes	\$48.1 million
Assessed value of personal property – 2019 estimate	\$12.1 billion
FY 2020 Adopted School System operating budget	\$1,317 million
FY 2020 Adopted General Government operating budget	\$597.3million
School System employees – FY 2020 adopted	11,994.90 FTE
General Government employees – FY 2020 adopted	4,152.24 FTE
Adopted Capital Improvement Program (FY 2019 – FY 2024)	\$2.449billion
% of 6-Yr CIP total expenditures debt financed	48.0%
FY 2019 Debt service expenditures*	\$183.4 million
FY 2019 Debt per capita*	\$ 4,190
FY 2019 Debt to estimated value of taxable real property*	1.73%
FY 2019 Debt to per capita income*	5.15%
FY 2019 Debt service to governmental fund expenditures*	6.27%
Schools	84 (2013) 89 (2016)
Voting precincts – August 1, 2018	96
Registered voters – August 1, 2018	252,038
Local electoral districts (includes at-large)	9

* Based on unaudited numbers and subject to change.

PRIORITY STATEMENTS

The following areas are the Board of Supervisors' overarching priorities for 2020 related to transportation, land use, taxing authority, and state funding. The Board supports relaxation of the Dillon Rule, and legislation maintaining and enhancing local authority and autonomy in matters including land use and procurement. Opposes legislation that erodes local authority.

TRANSPORTATION

The County supports increased state funding for road construction, road maintenance, transit operations and capital costs, including providing adequate funding to pave higher volume dirt roads and safely maintain rural roads. The continued economic vitality of the region and the quality of life of its citizens require greater state investment in transportation infrastructure, and existing revenue sources are no longer adequate to keep pace with the County's transportation needs. Continued lack of new or additional state funding for our transportation system imposes a tax on our citizens in the form of time wasted sitting in congestion and longer commutes, and it serves as a disincentive for businesses to locate or expand in the area.

The County seeks support and commitment from the state to provide adequate resources for completing projects, and to look at streamlining regulatory reviews and processes needed to reduce timelines and costs. Projects prioritized by the Board as part of the Fiscal Year (FY) 2020 Adopted Budget and FY 2019-2024 Amended Capital Improvement Program, which require state resources, can be found in Appendix I.

Further, current toll prices and practices affiliated with the Dulles Greenway are discouraging use of the toll road, causing congestion on alternate routes within the local road network. The Board supports legislative measures and funding that reduces costs for Greenway users and improves the road network that serves or will serve as alternatives to the Greenway, including roads such as Shellhorn Road and Prentice Drive that would significantly reduce congestion and provide viable, cost-efficient, east-west routes for Loudoun commuters.

2020 Transportation Priorities

1. Support legislation that will restore funding levels for the Northern Virginia Transportation Authority (NVTA) that existed prior to June 2018.
2. Support legislation and funding necessary to sustain investments in transit and keep transit systems in a state of good repair, including maintaining dedicated funding for Metro and identifying sustainable and dedicated funding for transit needs. Oppose any legislation that would shift the Commonwealth's responsibility for transit funding to localities or regions.
3. Support increased funding for Smart Scale that adequately addresses the transportation needs of the Commonwealth. Provide greater flexibility to accelerate Smart Scale funding for projects that progress more quickly.



PRIORITY STATEMENTS

LAND USE

The County supports maintaining its existing statutory authority in the area of land use and development. The ability to adequately plan, zone, and enforce land use regulations is necessary to maintain the quality of life in our communities and an environment that encourages businesses to invest in the County. The County is opposed to legislative measures that erode local land use authority.

2020 Land Use Priority on Proffers/Impact Fees

The County will advocate the following principles on proffers and impact fees:

1. A one-size-fits-all approach for calculating impacts of development will not work in the Commonwealth. Localities need flexibility to address critical infrastructure needs that result from growth, which varies across the Commonwealth.
2. Consideration of impact fees for residential development must include retaining (non-cash) proffer authority for localities to address development impacts other than those of capital construction.
3. Localities must retain the option to adopt cash proffers and impact fees, with each being applicable to different scenarios (e.g. rezonings v. by-right); In other words, localities should not be stripped of cash proffer authority in exchange for impact fee authority.
4. Ameliorating the cost of capital expenses required by residential growth should be done in an equitable way, with both by-right and rezoned properties bearing a fair share of the cost driven by new construction of homes.
5. Legislation allowing for impact fees could include a method or framework for how localities must calculate fees that accurately reflect the true impact of development in each locality. However, legislation should not impose arbitrary impact fee schedules or statutory caps.

PRIORITY STATEMENTS

TAXING AUTHORITY

The County supports keeping its existing taxing authority. Loudoun, like most localities, is heavily reliant on the real property tax to fund necessary public operations, from schools and parks to public safety. Reducing or eliminating the few other local revenue streams, such as Business, Professional and Occupational License (BPOL), or machinery and tools taxes, would only put greater pressure on property owners and the real estate tax.

STATE FUNDING

The County supports the state living up to its financial commitments in the areas of public education, public safety, and health and human services, and opposes state imposed mandates on the County that increase County operational and capital costs and/or are inadequately funded by the state. The County also supports adequate and competitive compensation for state supported employees which is needed to retain quality employees in the Northern Virginia area. The County opposes state budget cuts that are passed on to the locality, and formulaic budget changes that could negatively impact the County.

2020 State Funding Priorities (in order of importance)

1. Support restoring funding to the Northern Virginia Transportation Authority (NVTA) that existed prior to June 2018.
2. Support funding to adequately meet the current charges of the Community Service Boards (CSBs), including those mandated through the STEP-VA program. The County supports population based formulas used for funding STEP-VA and CSBs, instead of funding provided on an equal or flat distribution to all 40 CSBs.
3. Support full funding of the Northern Virginia cost of competing for teachers and support staff in the 2021-2022 Biennium Budget.
4. (NEW) Support an amendment that allows a locality to assess a local plan and specification fee and annual permit fee for hotels, campgrounds, summer camps, and restaurants equal to the fee charged by the state.
5. Support additional appropriations for Medicaid waiver slots needed to eliminate the statewide waiting list.
6. Support budget allocations in the 2021-2022 Biennium Budget for the Regional Science Center.
7. Support additional funding for VDOT operations that support local land use review and maintenance. Support additional and specifically dedicated funding for the mowing and cleaning of medians and right-of-ways on major state roads.
8. Support the restoration of full funding for conservation grant programs: the Virginia Land Conservation Foundation (VLCF), the Office of Farmland Preservation, and the Virginia Battlefield Preservation Fund. Support measures that provide full funding for conservation easement-holding agencies.

LEGISLATIVE INITIATIVES

The following legislative initiatives have been identified by the Board of Supervisors for pursuit of specific state legislative actions in 2020, as appropriate.

1. **Traffic Incident Management:** Seek legislation that would allow traffic incident management vehicles owned or operated by the Virginia Department of Transportation (VDOT) to use flashing lights and sirens.
2. **Increase Small Purchase Limit:** Seek legislation that amends Virginia Code §2.2-4303 G.1 that increases the small purchase limit for goods and non-professional services from \$100,000 up to \$200,000.
3. **Changes to Architectural and Professional Engineering Term:** Seek legislation that amends Virginia Code §2.2-4303.1 A to increase renewal options from four additional one-year terms to five additional one-year terms or allows for five-year term contracts (no contract renewals). Seek legislation that amends Virginia Code §2.2-4303.1 B.2 to increase the projects performed in a one-year contract term for architectural and engineering services for localities with populations greater than 78,000 from \$6 million to \$10 million (and up to \$12 million for transportation projects).
4. **Extend Action Deadline for Comprehensive Plan:** Seek legislation that amends Virginia Code §15.2-2226 and §15.2-2229 to allow the local governing body up to 180 days upon the local planning commission's recommending resolution to take action on locally initiated comprehensive plan or amendments to better align Board timing with the required state agency input.
5. **Modernize Library Public Record Exclusion:** Seek legislation that amends Virginia Code §2.2-3705.7 regarding information contained in library records that can be used to identify a library patron who has borrowed or accessed material or resources from a library and the material or resources such patron borrowed or accessed.
6. **FOIA Exclusion for Affordable Housing Loan Applications:** Seek legislation that amends Virginia Code § 2.2-3705.6, to add a public record exclusion for records related to the negotiation and approval of an affordable housing loan application submitted to a locality.
7. **Presiding Officer Terminology:** Seek legislation that allows a presiding officer discretion to be called "chairman," "chairwoman," "chair," "chairperson" or "chair at-large."

ADMINISTRATIVE INITIATIVES

The following address state policy initiatives of importance to the County.

Fiber Registration and the Establishment of Relocation Timeframes

Work with agencies such as the Virginia Department of Transportation (VDOT) and the State Corporation Commission (SCC) to address issues related to identification of companies/utilities placing fiber optics in and outside the right-of-way, and establish a timeframe by which fiber must be moved for construction projects, or otherwise help to resolve these matters of delay.

(NEW) Update VDOT Cut-Through Traffic and Traffic Calming Policies

Work with the Virginia Department of Transportation (VDOT) and the Commonwealth Transportation Board (CTB) to update policies addressing cut-through traffic and traffic calming in an effort to ensure that future traffic studies for communities that cross jurisdiction lines, or connect through a series of residential streets across jurisdiction boundaries, incorporate input and feedback from all communities and each governing body in which the community or communities reside.

(NEW) Waiving Land Use Permit Fees

Work with the Commonwealth Transportation Board (CTB) and Virginia Department of Transportation (VDOT) staff to update regulations and policies that waive land use permit (LUP) fees for local jurisdictions who are contributing local funds to construct improvements on a roadway under VDOT's control, ownership, or jurisdiction.

POLICY STATEMENTS

The following policy statement address state legislative and policy issues of importance to the County.

Animal Services

Dog and Cat License Fees

Support legislation amending state law to allow local dog/cat license fees to be set at a “fair and reasonable” level by the locality, instead of current law that limits the fee to no more than \$10. Support amendments to state law to allow local treasurers to use a portion of the dog/cat license fees they collect to go towards the cost of processing and administering those fees.

Pet Reunification

Support legislation amending state law to permit certified animal control officers to administer microchips as part of a locally-sanctioned pet reunification initiative.

Statewide Dog Licensing Model

Support the existing authority of localities to administer their own companion animal licensing programs and oppose any legislation that would limit that authority.

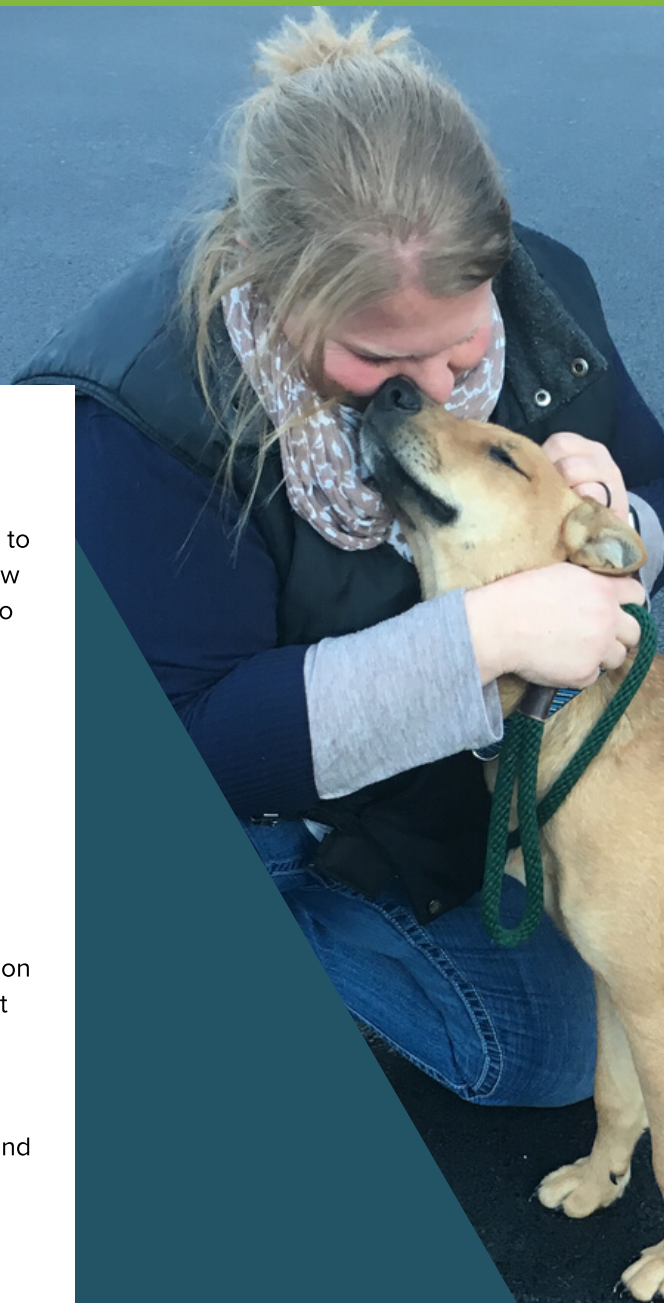
Statewide Mandate on Disposition of Animals

Support existing reporting requirements of releasing agencies in Virginia and oppose any legislation that would limit the authority of localities in determining disposition of animals in their custody.

Broadband

Broadband and Cellular Coverage and Availability

Support expanding affordable broadband accessibility and cellular service throughout the Commonwealth, particularly in underserved and rural areas while preserving local land use, permitting fees, and other local authority.



POLICY STATEMENTS

Economic Development

Commonwealth Opportunity Fund: Support the on-going replenishment of the Commonwealth Opportunity Fund. Consider industry-specific criteria for minimum project capital investment, job creation, and wage requirements (i.e. a new company may significantly exceed capital investment but lag on job numbers due to the nature of the business).

Discretionary Incentives: Support economic development incentives that fund job creation and business development in Virginia, including:

- **Go Virginia Funding:** Support continued funding for Region 7 and regional Go Virginia grants which advocate private-sector growth and job creation through increased collaboration between businesses, education and community leaders. Strongly encourage immediate action for clearly-defined application and administrative Region 7 web updates to develop maximum business engagement.
- **Governor's Agriculture and Forestry Industries Development (AFID) Fund:** Support continued AFID grants for new or expanded processing/value-added facilities and continue streamlining the process for application and receipt.
- **Major Eligible Employer Grant (MEE) and Virginia Economic Development Incentive Grant (VEDIG) Programs:** Continue to provide funding for attraction of major employers in Virginia where there is out-of-state competition.
- **Virginia Investment Performance (VIP) Grant:** Strongly support ongoing funding for existing Virginia highly specialized manufacturing companies that are expanding, innovating, or modernizing.
- **Income/Sales and Use Tax Incentives:** Continue to fund income tax credits and subtractions for investments. Oppose elimination of incentives, in particular the Data Center Retail Sales and Use Tax exemption.
- **State Funding Programs:** Support state organizations such as the Center for Innovation Technology (CIT) that fund technology startups through gap funds and research funds.
- **Technology Zones:** Support the County's ability to establish technology zones to encourage growth in targeted industries.

Housing Options: Support efforts to assist communities in the development of desirable and attainable housing stock for all segments of the local workforce.

(NEW) Tangible Personal Property Tax Sunset Extension for Satellites: Support legislation that extends the sunset provision in Virginia Code §58.1-3506 A (21) from July 1, 2019 for an additional ten-year period.

Washington Dulles International Airport: Support funding for operations at Washington Dulles International Airport and related businesses.

- **Foreign Trade Zone (FTZ):** Continue to allow businesses to defer paying duties on imported goods while they are held within the FTZ.

Workforce Development: Support investment which provides skilled workforce development, training, education, data research and technology as essential components of sustained economic development.

- **Virginia Jobs Investment Program:** Support state-level customized recruiting and training assistance to companies that are creating new jobs or experiencing technological change.
- **(NEW) Incumbent Worker Training Initiative of Northern Virginia:** Promote and support the initiative, which provides employee skill upgrades in industry-recognized IT and cybersecurity training and certifications attainment.

POLICY STATEMENTS

Education

Increase and Review of SOQ Funding

Support a significant increase in state education funding so that the state fully funds its share of the actual costs of meeting the Standards of Quality (SOQ). Support legislation that reviews the true cost of education, the state's responsibility for funding those costs, and the methodology used for distributing state public education funds.

Out-of-State Enrollment in State Institutions of Higher Education

Support legislation requiring the state's institutions of higher education to maintain undergraduate enrollment ratios of no greater than 25 percent out-of-state students. Further, support legislation to enforce such standard with financial or other disincentives.

Relax and Fully Fund State Mandates

Support full funding of state mandates. Support relaxing state mandates and increasing local autonomy in order to give local school divisions the flexibility to efficiently target resources where they are most needed.

School Construction Support

Support additional new state revenues to assist localities to fund new school construction, renovation of public school facilities, technology infrastructure and debt service.

Teacher Pensions

Support legislation to require the state to place its share of teacher pension liabilities on its financial statements.

Year-End-Funds Appropriated to School Divisions

Support existing state law that all year-end funds appropriated to the school divisions by local governing bodies revert to the locality, retaining discretion with the governing bodies to evaluate and approve the reallocations of year-end fund balances to address the capital or one-time expenditure requirements of local school districts.

Elections

Absentee by Mail Voting; Amend Deadline to Apply for Ballot

Support legislation to amend Virginia Code §24.2-701.B-2 to modify the current deadline to submit an application for a ballot by mail from the seventh day prior to the election to the tenth day prior to the election in order to accommodate changes in the United States Postal Service delivery schedule.

Local Election Districts and Precinct Boundaries

Support legislation that allows subdivision boundaries shown on an official map of the County to constitute a "clearly observable boundary" for the purpose of constituting a district or precinct boundary.

Polling Locations

Oppose legislation that would remove schools as a polling location for elections.

Sharing Jury Data for List Maintenance Purposes

Support legislation that allows the sharing of information obtained by the Clerk of the Circuit Court from those persons not qualified to serve as jurors on the basis of citizenship with the General Registrar to initiate list maintenance procedures pursuant to current law.

POLICY STATEMENTS

Employment and Benefits

Workers' Compensation Medical Services Fee Schedule

Support a thorough review of the existing fee schedule to ensure more uniformity and predictability in the rates.

Expanded Benefits

Oppose any legislation mandating new and/or expanded benefits on local governments that are not fully funded in perpetuity by the state, and oppose new or expanded employment benefits for public employees and/or volunteers unless a local option is provided.

Collective Bargaining

Oppose any attempt by the state or federal government to impose collective bargaining or stipulate grievance procedures for state and local employees.

Line of Duty Act

Support efforts to revert the cost and administration of this long time program back to the state. However, should localities continue to be required to pay these benefits, the County should support efforts to contain the costs associated with the program and to limit the benefit costs being charged to the County by the state.

Non-Discrimination in Public Employment

Support legislation that provides additional state protections for veteran status and marital status for non-discrimination in public employment.

Workers' Compensation

Encourage and support a detailed review by the legislature of the current presumptions under the Virginia Workers' Compensation Act and support additional cancers such as brain, testicular, colon, and non-Hodgkin's lymphoma, as well as post-traumatic stress disorder, to be added to the presumption list as found in Virginia Code §65.2-402.

POLICY STATEMENTS

General Government

Affordable and Workforce Housing

Support legislative, administrative and budgetary efforts that increases opportunities within Loudoun for affordable and workforce housing including but not limited to state administered programs and funds such as Low Income Housing Tax Credits, rental housing Resources Enabling Affordable Community Housing program (REACH), and the Housing Trust Fund. Oppose efforts that would decrease opportunities for affordable housing development in the County.

Agritourism Buildings and Structures

The County recognizes the importance of rural businesses to the economy of the County, and the important role of public safety in ensuring the protection of patrons. The County supports legislation that clearly defines agritourism buildings or structures, specifies the agency that determines if structures meet the criteria for classification as agritourism structures, provides expectations for public safety as it relates to assembly within those structures, and allows for enforcement of operational aspects of the Statewide Fire Prevention Code in farm buildings. The County supports educating owners of such structures on operational components, such as those found in the Loudoun County Fire and Life Safety Code. The County supports legislation that provides for safety features in Virginia Code that promote minimum life safety standards in portions of agritourism buildings or structures used for assembly of 50 or more persons. Minimum safety features supported by the County, and that would assist in getting patrons out of buildings or structures quickly include:

- Local non-monitored fire alarm systems;
- Two remote exits, each equipped with exit lights and panic hardware on hinged exit doors that swing out;
- Emergency lighting; and
- Portable fire extinguishers.

Coordination of State, County and Courts Holiday Schedules

Support legislation to provide for a uniform approach to holidays in Virginia where there is consistency between the courts, the Governor, and local governments.

Driver Privilege Cards (NEW)

Support legislation that authorizes the Virginia Department of Motor Vehicles (DMV) to issue driver privilege cards to applicants that do not meet current license, permit or identification card requirements found in Virginia Code §46.2-328.1, but at a minimum have reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months and is not in violation of the insurance requirements for the registration of an uninsured motor vehicles. Driver privilege cards shall confer the same privileges and shall be subject to the same provision as driver's licenses and permits, but shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the applicant's ability to produce proof of legal presence in the United States.

POLICY STATEMENTS

General Government

Excess Court Fees

Support legislation that returns the majority of excess court fees formula back to the original one-third for the Commonwealth and two-thirds for the locality. Support and/or seek legislation that would make this change only applicable to the 20th Judicial Circuit (in addition to the 31st Judicial Circuit, the only circuit that was exempted from this state formula change).

Equal Rights Amendment (NEW)

Support legislation that ratifies and affirms the Equal Rights Amendment (ERA) to the Constitution of the United States, proposed by the United States Congress in 1972.

Increase Fees for the Legal Resource Center

Support legislation that amends Virginia Code §42.1-70 to allow a governing body to increase the assessment for civil actions filed in the courts by \$1 to pay for expenses related to a law library.

Local Authority for War

Monuments/Memorials (NEW)

Support legislation that amends Virginia Code §15.2-1812 to provide a process whereby localities have authority over war or veteran monuments and memorials on property owned or controlled by the locality.

New State Mandates and

Shifting Responsibility to Localities

Oppose any new state mandates that are not fully funded by the Commonwealth, and oppose the shifting of fiscal responsibility from the state to localities for existing programs.

Retention of Election Ballots

Support legislation to authorize Circuit Court Clerks to retain paper election ballots for the first six months following an election and continue to retain digital images of election ballots for the remaining 18 months.

POLICY STATEMENTS

Health and Human Services

Children's Services Act (CSA)

Support state funding and certain programmatic changes, including but not limited to:

- Support the state maintaining the sum- sufficiency provisions in Virginia Code § 2.2- 5211 relating to the General Assembly's obligation to fund special education and foster care services and to meet relevant federal mandates for the provision of these services.
- Support an increase in local non-mandated budget amounts.
- Support legislation that continues to fund Fostering Futures, a program that allows foster care youth to be eligible for the full array of foster care services under CSA until they turn 21.
- Support fully funding localities for state-mandated human services, including the CSA, and providing program flexibility so that localities can provide comprehensive and case-tailored services.
- Oppose changes to CSA law, regulation or policies that bypass the Family Assessment and Planning Team and Community Policy and Management Team role in determining appropriate Residential Treatment Facility placements for which CSA funds will be sought.

Decrease Incarceration Rates for Mentally Ill Populations

Support additional funding, resources, or legislative changes that decrease incarceration rates for mentally ill populations.

Doctor Protections for Long-Term Antibiotic Therapy

Support legislation that allows a licensed physician to prescribe, administer, or dispense long-term antibiotic therapy to a patient diagnosed with Lyme disease and also specifies that the Board of Medicine shall not initiate a disciplinary action against a licensed physician solely for prescribing, administering, or dispensing long-term antibiotic therapy to a patient clinically diagnosed with Lyme disease, provided such clinical diagnosis and treatment has been documented in the patient's medical record by such licensed physician.

Lyme Disease

Support state administrative, budget or legislative action beneficial or necessary for the diagnosis, treatment, and/or prevention of Lyme disease, except in areas where they become unfunded mandates on localities.

Inmate Behavioral Health Services

Oppose legislation and unfunded mandates that requires Community Service Boards and localities to be responsible for service delivery for every inmate with a behavioral health condition at any severity level, including every clinical intervention. The County is charged with addressing serious mental illness in priority populations, which does not include every behavioral health condition or every clinical intervention.

Long-Term Care Ombudsman Program

Support additional appropriations of \$235,204 (10% of full funding need) which would bring the state's Long-Term Care Ombudsman Program up to the standard of one full-time ombudsman for every 2,000 nursing home and assisted living beds.

Mandated Geriatric Training for Medical Students

Support legislation that requires the Virginia Board of Medicine to mandate geriatric training for all medical students attending Virginia state medical universities in core clinical concentrations in Family Medicine and Internal Medicine.

State Income Tax Credits for Accessible Units

Support increasing the total amount of state income tax credits granted for the Livable Home Tax Credit program in any given fiscal year from \$1 million to \$2 million and increase the total amount of state income tax credits made available through the program allocated for the purchase or construction of new residences from \$500,000 to \$1 million and funds allocated for retrofitting or renovation of existing residences from \$500,000 to \$1 million.

POLICY STATEMENTS

Land Use, Zoning & Property Maintenance

Alternative Onsite Sewage Systems: Oppose legislation that further restricts local authority in this area.

Conditional Zoning (Cash and In-Kind Proffers): Support local authority to accept cash and in-kind proffers from developers to assist localities in financing the capital facilities and infrastructure needed to serve new development and oppose legislation to eliminate or restrict that authority.

Connection Fees: Support the existing authority of localities or locally created authorities to impose connection fees and rates adequate to support the full cost of water, wastewater and stormwater utility systems, and oppose any legislation that would limit that authority.

Erosion and Sediment Control/Stormwater Management: Oppose legislation that reduces or eliminates local authority in the areas of erosion and sediment control and stormwater management.

Impact Fees: Oppose any proposal for replacing proffers with development impact fees if such a change does not support the additional use of proffers in lieu of or in addition to impact fees, and would diminish the amount of such capital assistance received by localities.

Local Authority Enhancement: Support, generally, the granting of additional land use, zoning and property maintenance authority to localities, especially for aging areas or areas experiencing high rates of sustained growth as a means to address the fiscal burdens experienced by localities in providing needed public services to local residents.

Onsite Sewage Disposal Systems: Oppose legislation that limits the ability of localities to create or enforce local ordinances or fees established to best meet the needs of their jurisdictions in the area of onsite sewage disposal systems.

Payments in Lieu of Facility Contributions: Support any and all legislation to allocate state cash contributions made by developers in lieu of improvements otherwise required by ordinances.

Chesapeake Bay TMDL Funding for Agricultural Best Management Practices and other Cost-Sharing Programs: Support efforts to increase state appropriations for cost-sharing programs, including but not limited to the Virginia Natural Resources Commitment Fund (VNRCF) and the Stormwater Local Assistance Fund (SLAF). The VNRCF and SLAF support Virginia agricultural cost-share programs and water quality improvement projects including installation of cost-effective best management practices that are necessary to meet Municipal Storm Sewer System (MS4) permit requirements and local pollution reduction goals.

Prescriptive Easements: Support legislation that permits collocation of telecommunications facilities on electric utility poles maintained by prescriptive easement.

Reduce State Share of Permit Fee: Support a reduction in the Commonwealth of Virginia's current 28 percent portion of the Stormwater Management Programs permit fee, since the County, not the state, is predominantly administering the program locally.

Short-Term Rentals: Support efforts that preserve local land use and taxation authority while requiring transparency and efficient Transient Occupancy Tax (TOT) collections as it relates to the growing short-term rental industry.

State Annual Plan for Utilities: Oppose any proposal to include infrastructure development such as electric substations and similar facilities under the State Annual Plan for Utilities.

Undergrounding Electric Distribution, or "Feeder" Lines: Support legislation which increases and/or promotes the number of underground electric distribution, or "feeder" lines in addition to the pilot programs for long-range transmission lines.

POLICY STATEMENTS

Predatory Lending

Support legislation strictly prohibiting and deterring all predatory, usurious lending practices, including but not limited to provisions that would:

- Impose an interest rate cap of 36 percent, calculated as an effective annual percentage rate including all fees or charges of any kind, for any consumer credit extended in the Commonwealth; and
- Prohibit a creditor's use of a personal check or other device as a means, directly or indirectly, to gain access to a consumer's bank account; and the protections to gain access to a consumer's bank account and incorporate into the Virginia Code the protections regarding consumer credit to military personnel as reflected in the Military Lending Act, 10 United States Code Section 987.

Public Safety

Emergency Medical Transport: Support policies to protect consumers who require air ambulance services. Oppose proposals that would add additional legal and administrative burdens on local first responders regarding decisions about methods of transportation in emergency situations.

Fire Sprinklers in New Residential Construction: Support action by the Board of Housing and Community Development and/or enabling legislation by the Virginia General Assembly to enable local governing bodies the ability to self-determine the appropriate regulations or codified ordinances for residential sprinkler requirements for their localities.

New State Traffic Infraction: Support legislation that creates a new state traffic offense to allow law enforcement officers to charge drivers with traffic infractions where the level of culpability does not warrant a charge of reckless driving.

Statewide Fire Prevention Code (SFPC): Oppose any action by the Board of Housing and Community Development or the General Assembly to approve or enact any edits or re-writes to the SFPC or any other law or regulation which could reduce or eliminate local fire prevention requirements or remove life safety authority from fire marshals and their assistants. This includes, but is not limited to:

- (NEW) Consumer Fireworks: Oppose any action that would expand the sale, possession and use of consumer fireworks, without the provisions to assure compliance with related National Fire Protection Association (NFPA) Standards which contain minimal fire and life safety provisions for all consumer fireworks. Injuries and deaths from fireworks occur annually.
- (NEW) Binary Exploding Targets: Support action that would expand the enforcement of binary exploding targets to include local law enforcement.

Transfer Authority of Promulgation of SFPC: Support legislation which effectively transfers authority for the promulgation of the Statewide Fire Prevention Code (SFPC) from the Board of Housing and Community Development to the Virginia Fire Services Board (VFSB).

School Safety: Oppose any legislation that weakens the Virginia Statewide Fire Prevention Code and/or the Virginia Uniform Statewide Building Code that promotes fire and life safety of our schools to protect the safety of our children. The County discourages any deactivation, tampering, or modification of fire alarm systems and associated life-safety and egress components or systems and recommend strict compliance with the NFPA 72 and 25 standards. In addition, emergency planning and preparation activities such as fire safety, lockdown drills and plans, and emergency evacuation drills should be conducted as recommended by the International Fire Code. The County recommends methods such as scheduling fire drills and sharing it in advance with staff/authorized persons.

Use of tolls by Emergency Management Personnel: Support legislation that adds emergency management personnel to the list of officer and employees under Virginia Code §33.2-613 allowed to use toll facilities without payment in the performance of their official duties.

POLICY STATEMENTS

Tax and Revenue

Admission Tax

Support efforts to allow an admissions tax or similar ticket tax for stadium events.

Communications Sales and Use Tax (CSUT)

Support efforts to increase the amount of revenue received from the Communications Sales and Use Tax (CSUT), including efforts to update the tax to reflect the modern telecommunications landscape. Oppose diversion of Communications Sales and Use Tax Trust Fund dollars beyond the uses already specified in statute, and support efforts to address budget language that would divert CSUT funds to the state General Fund.

Equal Taxing Authority (NEW)

Support legislation that provides counties with equal taxing authority for cigarette taxes, transient occupancy taxes, and admission taxes as provided to cities.

Machinery and Tools (M&T)/Business, Professional Occupational License (BPOL) Taxes

The state should not eliminate these local revenue sources, unless the General Assembly provides replacement sources of revenue for localities. In Loudoun County alone, BPOL receipts were \$38.4 million and M&T receipts were \$2.2 million in FY 2019. This revenue should not be unilaterally eliminated especially when the state is reducing its funding commitments to public education, human services, and other state-responsible, but locally-administered programs. Eliminating these local sources of revenue simply puts even more pressure on property owners through the local real estate tax, especially if counties are never given the ability to diversify their revenue base like municipalities can.

Meals Tax

Loudoun County does not support instituting a meals tax within the County. Therefore, Loudoun County does not request or support expanding its current authority provided in Virginia Code.

Presumption of Valuation Established by Locality

Oppose legislation which eliminates requirements that the taxpayer-appellant prove manifest error from the locality's Commissioner of the Revenue or real estate assessor as a pre-requisite for the appeal to prevail, in fact voiding the current presumption that the valuation established by the locality is correct.

Release of New Customer Information from Utility Providers

Support legislation to require utility providers to release to local tax authorities information such as name, address, and date of service for new customers for the purpose of ensuring local personal property tax compliance.

Revenue Sharing with State

Support any state revenue sharing formula to assist local governments with public infrastructure needs as long as the formula includes recognition of the needs in high residential growth localities.

Taxation Study

Support either a General Assembly-sponsored, or a Virginia Department of Taxation study to review all local government allocations provided by the Personal Property Tax Relief Act of 2006 with the goal of determining allocations that reflect the changed distribution of population among jurisdictions.

Transient Occupancy Tax

The Board supports legislation to clarify that the Commonwealth should not allow online travel companies to avoid paying the full Transient Occupancy Tax and retail sales and use tax on the rental of hotel rooms.

POLICY STATEMENTS

TRANSPORTATION

Automated High Occupancy Vehicle (HOV) Enforcement

Support studies and research by the Virginia Department of Transportation (VDOT) and Department of Motor Vehicles (DMV) focused on automated HOV enforcement.

“Devolution” of Secondary Road Maintenance

Oppose any legislative or regulatory moratorium on the transfer of newly constructed secondary roads to VDOT for the purposes of ongoing maintenance, and oppose any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties.

Tolls on Dulles Greenway

Support measures and legislation that address increased toll rates on the Dulles Greenway. Such would include, but not be limited to, opposing any legislation to extend the automatic increase provided in Virginia Code §56-542(l) beyond its current January 1, 2020 expiration date, seeking requirements to deploy distance-based and time-based tolling that materially benefits users both peak and off peak prior to any subsequent toll increases, and seeking requirements to deploy additional congestion management improvements beyond those currently required, prior to any subsequent toll increases.

Tolls on I-66

Support any legislative initiative proposed in the 2020 General Assembly Session that would reduce the exorbitant fees levied on the citizens of the Commonwealth, including public safety personnel, with I-66 tolls.

New River Crossing

Support actions for the creation of a new river crossing over the Potomac River, east of Goose Creek.

Virtual Weigh Station Study

Support a study by VDOT and DMV that researches the use of virtual weigh stations for enforcement of over-sized or over-weight vehicles.

TRANSPORTATION FUNDING

Bi-County Parkway between Prince William County and Loudoun County

Support the Bi-County Parkway between Prince William and Loudoun Counties as called for in the Loudoun Countywide Transportation Plan. The parkway is needed to foster the region’s economic development, reduce existing traffic congestion and accommodate planned residential growth. In addition, by greatly improving both passenger and commercial cargo access to the Dulles International Airport, the Bi-County Parkway will produce tangible quality of life and economic benefits for the entire Commonwealth.

General Statement on Funding

Support additional state and regional transportation funding for highway, transit, bicycle and pedestrian, and safety improvements.

Revenue Sharing Program

Support additional funding and continued use of this program as an effective way to leverage local/state funds and oppose any budget amendments that reduces funding allocations for this program below \$100 million per year.

Virginia Department of Transportation Staffing Levels

Support state funding for providing additional staffing of VDOT personnel designated for and preferably located in Loudoun County for the purposes of greater efficiency.

This Legislative Program was approved
by the Loudoun County Board of Supervisors
on January 7, 2020.



Loudoun County
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